

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America
v.

Alan Cooper

Defendant(s)

Case No. 1:22-MJ-00029

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 1, 2021 in the county of Hamilton in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. 922(g)(1)

Offense Description

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

Michelle Nelson

Complainant's signature

Special Agent Michelle Nelson, ATF

Printed name and title

Sworn to before me and signed in my presence.
via electronic means, specifically Facetime video.

Date: Jan 11, 2022

City and state: Cincinnati, Ohio

Stephanie K. Bowman

Judge's signature



Hon. Stephanie K. Bowman, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, MICHELLE NELSON, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint charging ALAN COOPER with a violation of 18 U.S.C. § 922(g)(1), Possession by a Prohibited Person.

2. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since July 2020. I graduated from the ATF Special Agent Basic Training Academy, located in Glynco, Georgia, in October of 2020.

3. In my career with ATF, I have been assigned to the Cincinnati Field Office in the Southern Judicial District of Ohio. Prior to my employment with ATF, I was a member of the United States Secret Service (USSS) in Washington D.C. where I served as a member of the Uniformed Division under the Presidential Protective Division. I was employed in that capacity from September of 2000 to 2004, and as a Crime Scene Technician from 2004 to April 2007. From April 2007 to July 2020, I served as a Special Agent of the USSS, assigned to the Cincinnati Field Office as well as USSS Headquarters, under the Protective Intelligence and Assessment Division. I took part in various criminal investigations during my tenure. I have received additional training in several areas of law enforcement, including but not limited to Narcotics interdiction and investigation and firearms interdiction and investigation. I am also a graduate of the University of Texas where I received a Bachelor's degree in Government in 2004.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses, as well as my review of Body Worn Camera video footage and law enforcement reports. This affidavit is intended to show

merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. On September 01, 2021, Cincinnati Police Department (CPD) officers observed the front passenger, later identified as ALAN COOPER, in a blue Chevy Malibu, bearing OH tag JHG9123, at 1600 Vine Street, Cincinnati, OH, conduct a hand-to-hand transaction with a known drug trafficker. As officers approached the vehicle, COOPER exited the vehicle and entered the corner store at 1600 Vine Street. Officers continued to approach the known drug trafficker standing near the vehicle COOPER exited from. While conducting an officer safety sweep, CPD looked into the vehicle where COOPER was sitting and observed a firearm with a high capacity magazine and a cell phone laying on the passenger seat. The vehicle was occupied by the driver, identified as Jayanna THOMAS. THOMAS was detained and Mirandized by CPD.

6. The firearm, a Smith and Wesson SW9VE, 9-millimeter semi-automatic handgun bearing serial number DVJ2523, was loaded with sixteen (16) rounds of ammunition. CPD attempted to locate COOPER; however, he departed the area. CPD interviewed THOMAS who stated the firearm and cell phone belonged to COOPER, who was released on bond for drug trafficking, carrying a concealed weapon, and having weapons while under disability when this incident occurred.

7. Continuing on September 01, 2021, CPD conducted a traffic stop on a black 2012 Audi at 7 E Elder Street, Cincinnati, OH, heavily tinted windows in violation of Ohio Revised Code 4513.241. The passenger in the vehicle was COOPER. CPD Mirandized COOPER, who declined knowledge of the firearm and consented to providing a DNA sample.

8. On September 01, 2021, CPD submitted DNA swabs that were taken from the recovered firearm and DNA swabs of known samples taken from COOPER to the Hamilton County Coroner & Crime Laboratory. On October 21, 2021, Joan Burke, Forensic Scientist III, provided an Official Crime Laboratory Report stating in the absence of an identical twin, Alan COPPER is the source of the major DNA obtained from the firearm.

9. ATF Special Agent William Crayner conducted an interstate nexus inquiry on the firearm described above. The firearm described above was manufactured outside the state of Ohio. Therefore, the firearm COOPER possessed traveled in interstate commerce prior to September 01, 2021.

10. Prior to September 01, 2021, COOPER had been convicted of crimes punishable by a term of imprisonment exceeding one year. Specifically, COOPER was convicted of Trafficking in Heroin, Possessing Fentanyl-related compound, and Having Weapons While Under Disability in Hamilton County (OH) Court of Common Pleas Case Numbers B1806687 and B1903925. Trafficking in Heroin, Possessing Fentanyl-related compound, and Having Weapons While Under Disability are crimes punishable by a term of imprisonment exceeding one year. COOPER's Entry of a Plea of Guilty in both cases advised COOPER that the maximum sentence of imprisonment was thirty-six (36) months for his Trafficking in Heroin, Possessing Fentanyl-related compound, and Having Weapons While Under Disability conviction. COOPER signed the Entry of Plea of Guilty form on January 14, 2019 for Case B1806687 and October 01, 2019 for Case B1903925, which expressly stated "I understand the maximum penalty." Therefore, on September 01, 2021, COOPER knew he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year.

11. All of the events described above occurred within the Southern District of Ohio.

CONCLUSION

12. Based on the facts set forth in the Affidavit, there is probable cause to believe that on or about September 01, 2021, in the Southern District of Ohio, ALAN COOPER committed a violation of 18 U.S.C. § 922(g)(1), Possession by a Prohibited Person.

Respectfully submitted,

Michelle Nelson

MICHELLE NELSON
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and
Explosives

Subscribed and sworn to before me on this 11th day of January 2022
via electronic means, specifically Facetime video.

Stephanie K. Bowman

HON. STEPHANIE K. BOWMAN
UNITED STATES MAGISTRATE JUDGE

